

# Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas New York, NY 10036-6710 212.336.2000 fax 212.336.2222 www.pbwt.com

September 2, 2008

MEMORANDUM

Steven A. Zalesin (212) 336-2110 Direct Fax (212) 336-2111 szalesin@pbwt.com
USDC DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 9/2/08

## By Fax

The Honorable Gabriel W. Gorenstein  
 United States Magistrate Judge  
 Daniel Patrick Moynihan U.S. Courthouse  
 500 Pearl Street  
 New York, New York 10007

**Rc: CoStar Group, Inc. v. LoopNet, Inc., No. 08-CV-1156 (GBD)**

Dear Judge Gorenstein:

We represent plaintiff CoStar Group, Inc. ("CoStar") in the above action. This letter is submitted on behalf of both parties to request two modifications to the Court's Standing Order Applicable to Settlement Conferences (the "Standing Order") in connection with this matter.

Paragraph 3 of the Standing Order provides that, by "12:00 noon three business days before the conference, the Court and opposing counsel must be in receipt of a letter from counsel for each party . . . setting forth succinctly" the party's position with respect to settlement. The parties have conferred and believe that, in this instance, the letters would be more productive, and more likely to facilitate settlement, if submitted to the Court in confidence and not shared with the opposing party. We therefore request that the Court permit this modification to the Standing Order.

- Derived.  
omit material  
as necessary from  
the letters to  
maximize productivity

In addition, the parties request a one business day adjournment of the deadline by which to submit these letters. The settlement conference is scheduled for Wednesday, September 10, so the deadline under the Standing Order is noon this Friday, September 5. The parties respectfully request that they be allowed to submit these letters by fax up until noon on Monday, September 8.

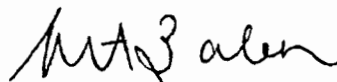
- Granted

SO ORDERED: DATE: 9/2/2008  
 GABRIEL W. GORENSTEIN  
 UNITED STATES MAGISTRATE JUDGE

Hon. Gabriel W. Gorenstein  
September 2, 2008  
Page 2

We thank the Court in advance for its consideration of these requests, and look forward to a productive settlement conference on September 10.

Respectfully Submitted,



Steven A. Zalesin

cc: Jacques Semmelman, Esq. (Curtis, Mallet et al.)  
Elliot Brown, Esq. (Irell & Manella, LA)  
Raymond LaMagna, Esq. (Irell & Manella, LA)  
Patrick Carome, Esq. (Wilmer Hale, DC)